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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/579,367	05/15/2006	Peter George Milton	GJ279J	3053
7590 Jason D. Shanske Iandiorio & Teska 260 Bear Hill Road Waltham, MA 02451				
			EXAMINER KOCH, GEORGE R	
			ART UNIT 1791	PAPER NUMBER
			MAIL DATE 10/29/2009	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/579,367

Applicant(s)

MILTON, PETER GEORGE

Examiner

George R. Koch III

Art Unit

1791

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1 and 4-18 is/are rejected.
- 7) ☒ Claim(s) 2 and 3 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SF/ICE)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date ____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: ____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

3. Claims 1, 4 and 7-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Johansson (US 4,298,173), Bailey (US 3,579,381) and Perini (GB 2,105,688 A).

As to claim 1, Johansson discloses an apparatus for refurbishing used cores for rolls of material, which apparatus comprises: stripper means (such as rollers 14-15 and below 3-16, plus rollers 5-7 and 6-8) for stripping remaining material from the used cores; feed means (items 23 and 24) for feeding the used cores to the stripper means;

Johansson does not disclose cleaning means for cleaning the used cores after they have been treated by the stripper means;

Bailey discloses cleaning means (brush 22, bath 23) for cleaning the used cores (called pins) after they have been treated by the stripper means (the pins are free of textiles). Although

Bailey's cores (or pirns) are directed to textiles, the teaching is reasonably pertinent because it is directed to reuse and refurbishment of cores upon which elongated material will be placed.

Bailey discloses that failing to wash the cores could result in a defect such as a streak or stain of the wound article (see column 1, lines 27-42). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have utilized such washing steps in order to prevent defects.

Johannson does not disclose adhesive applicator means for applying adhesive to the used cores whereby the used cores are then ready for re-use as refurbished cores for new rolls of material.

However, Perini discloses adhesive applicator means (glue applicator station 58) for applying adhesive to the used cores whereby the used cores (cores 51) are then ready for re-use as refurbished cores for new rolls of material. Perini discloses that the glue is useful for attaching a new web 34 to the core. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have used the adhesive applicator means of Perini in order to facilitate reuse of the cores by attaching new webs.

As to claim 4, Johannson discloses a waste bin or a pallet (funnel 28 is capable of functioning as a waste bin) for receiving the material stripped from each used core.

As to claim 7, Johannson discloses that the stripper means comprises rollers for rotating the used cores (rollers 5/7 and 6/8), end-obtaining means (suction box 16) for obtaining a free end of the remaining material on each used core, and pull means (the nip between rollers 14/15 and 6/8) for pulling the remaining material off each used core.

As to claim 8, Johansson discloses that the rollers for rotating the coil are a pair of drive rollers. Johansson does not disclose that the drive rollers are reversible. However, official notice is taken that reversible drive rollers are well known and conventional for web handling purposes.

As to claim 9, Johansson discloses that the end-obtaining means includes a roller (such as rollers 6/8, which also functions as an end obtaining means; Additionally, as to claim 10, Johansson discloses that the roller is a brush roller (roller 6/8 is capable of functioning as a brush).

As to claim 11, Johansson discloses that the feed means is a conveyor feed means (belt 1).

As to claim 12, Bailey as incorporated discloses that the cleaning means is a roller cleaning means (brush 22).

As to claim 13, Bailey as incorporated discloses that the roller cleaning means has at least one scrubbing roller (Brush 22), and a wash station (bath 23).

As to claim 14, Bailey does not disclose that there are more than one of the scrubbing rollers, and in which the wash station is a hot wash station. However, duplication of parts is obvious. See MPEP 2144.04. Here, duplication would have increased the contact area of the cores. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have duplicated the roller in order to increase the contact area and speed up the cleaning.

As to claim 15, Bailey discloses that wash station includes a container capable of containing cleaning water (Bath 23).

As to claim 16, Perini as incorporated discloses that the adhesive applicator means comprises at least one roller (wheel 59) for applying the adhesive.

As to claim 17, Perini as incorporated does not discloses that there are two of the rollers for applying the adhesive. However, duplication of parts is obvious. See MPEP 2144.04. Here, duplication would have increased the contact area of the cores. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have duplicated the roller in order to increase the contact area and speed up the adhesive application process, or increase the amount of adhesive applied.

As to claim 18, Perini as incorporated discloses a container for containing the adhesive (bath of adhesive 60).

4. Claims 5 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Johansson, Bailey, and Perini as applied to claim 1 above, and further in view of Milton (GB 2333207 A).

Johnnson, Bailey and Perini do not disclose tag reader means for reading identity tags, there being one identity tag on each used core, and do not disclose that the identity tags are radio frequency identity tags, and in which the tag reader means is adapted to read the radio frequency identity tags.

However, Milton discloses that it is know to provide a transponder in the form of a radio frequency chip on the core (see abstract). The tags are positioned on the outside of the cores. See claim 2. Such cores are read by reader means (abstract). Milton discloses that such RFID tags are useful to prevent lost of reels of paper. Specification, page 1, paragraph 2. Therefore, it

would have been obvious to one of ordinary skill in the art at the time of the invention to have utilized readers and tags and radio frequency tags in order to prevent lost of reels of paper.

Allowable Subject Matter

5. Claims 2-3 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

6. The following is a statement of reasons for the indication of allowable subject matter: The prior of record does not disclose, in connection with the limitations of the apparatus according to claim 1, the additional element of including sensor means for measuring and recording the length of the material stripped from each used core. Similarly, the prior art of record does not disclose that this sensor means measures in metric units.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to George R. Koch III whose telephone number is (571) 272-1230 (TDD only). If the applicant cannot make a direct TDD-to-TDD call, the applicant can communicate by calling the Federal Relay Service at 1-866-377-8642 and giving the operator the above TDD number. The examiner can also be reached by E-mail at george.koch@uspto.gov in accordance with MPEP 502.03. The examiner can normally be reached on M-F 9-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Philip Tucker can be reached on (571) 272-1095. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/George R. Koch III/
Primary Examiner, Art Unit 1791

10/26/2009